

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for January 4, 2006 PLANNING COMMISSION MEETING

PROJECT #: Special Permit No.1114D, Pheasant Run Community Unit Plan

PROPOSAL: Reduce the rear yard setback from 20.4' to 19.5' and the side yard setback from 10' to 7.5'.

LOCATION: 6501 Pheasant Run Ct.

CONCLUSION: The reduction in the rear and side yard setbacks should not have a negative impact on the abutting properties. The reduced setback only applies to the area as shown on the attached site plan.

<u>RECOMMENDATION:</u>	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 3, Block 1, Pheasant Run 7th Addition

EXISTING ZONING: R-1 Residential

EXISTING LAND USE: Single family house

SURROUNDING LAND USE AND ZONING:

North: R-1, Residential
South: R-1, Residential
East: R-1, Residential
West: R-1, Residential

HISTORY:

June 26, 2002 Pheasant Run 7th Addition final plat was approved by the Planning Commission.

May 20, 2002 Administrative Amendment #01074 to Special Permit 1114C to revise the lot layout in Blocks 2 and 3 was approved by the Planning Director.

September 11, 1995 Special Permit 1114C to add 4 lots was approved by the City Council.

COMPREHENSIVE PLAN SPECIFICATIONS:

The 2025 Comprehensive Plan identifies this area as Urban Residential.

ANALYSIS:

1. This is an application to reduce the rear yard from 20.4' to 19.5' and the side yard from 10' to 7.5'.
2. The applicant's letter states the reason for the reduced setbacks is for an existing deck that encroaches on the existing setbacks.
3. Decks may encroach into the setback if they are no higher than 3 feet above the ground. This deck varies from five to seven feet above the ground.
3. The reduced setbacks should only apply to the area of the deck and not the entire rear and side yard.

CONDITIONS OF APPROVAL:

Site Specific:

1. This approval permits a rear yard setback of 19.5 feet and side yard setback of 7.5 feet for a deck as shown on the attached site plan for Lot 3, Block 1, Pheasant Run 7th Addition.

General:

2. Before receiving building permits
 - 2.1 The permittee shall complete the following instructions and submit the documents and plans to the Planning Department office for review and approval.
 - 2.1.5 A permanent final plan with 5 copies as approved.
 - 2.2 The construction plans comply with the approved plans.

STANDARD CONDITIONS:

3. The following conditions are applicable to all requests:

- 3.1 Before construction of the deck, all development and construction is to comply with the approved plans.
 - 3.4 All privately-owned improvements, including landscaping and recreational facilities, are to be permanently maintained by the owner or an appropriately established homeowners association approved by the City.
 - 3.6 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 3.7 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 3.8 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant.
4. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by

Tom Cajka
Planner

DATE: December 21, 2005

APPLICANT: Gary McCown
6501 Pheasant Run Ct.
Lincoln, NE 68516
(402) 421-2911

OWNER: same as applicant



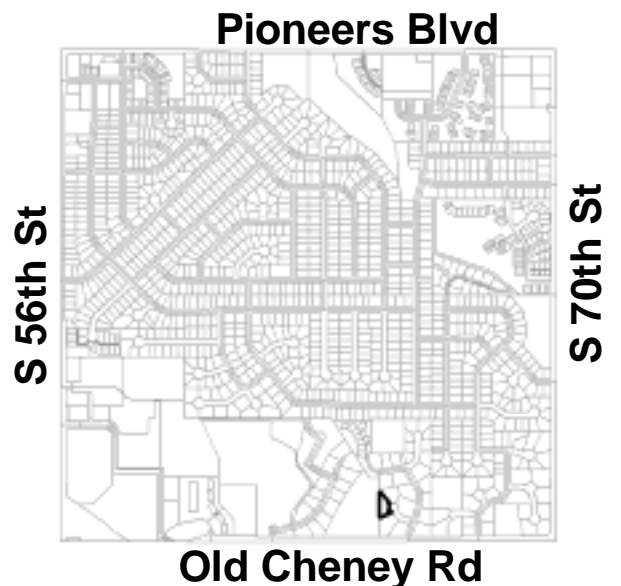
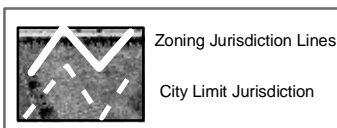
Special Permit #1114D
Pheasant Run CUP
Old Cheney Rd & Pheasant Run Ln

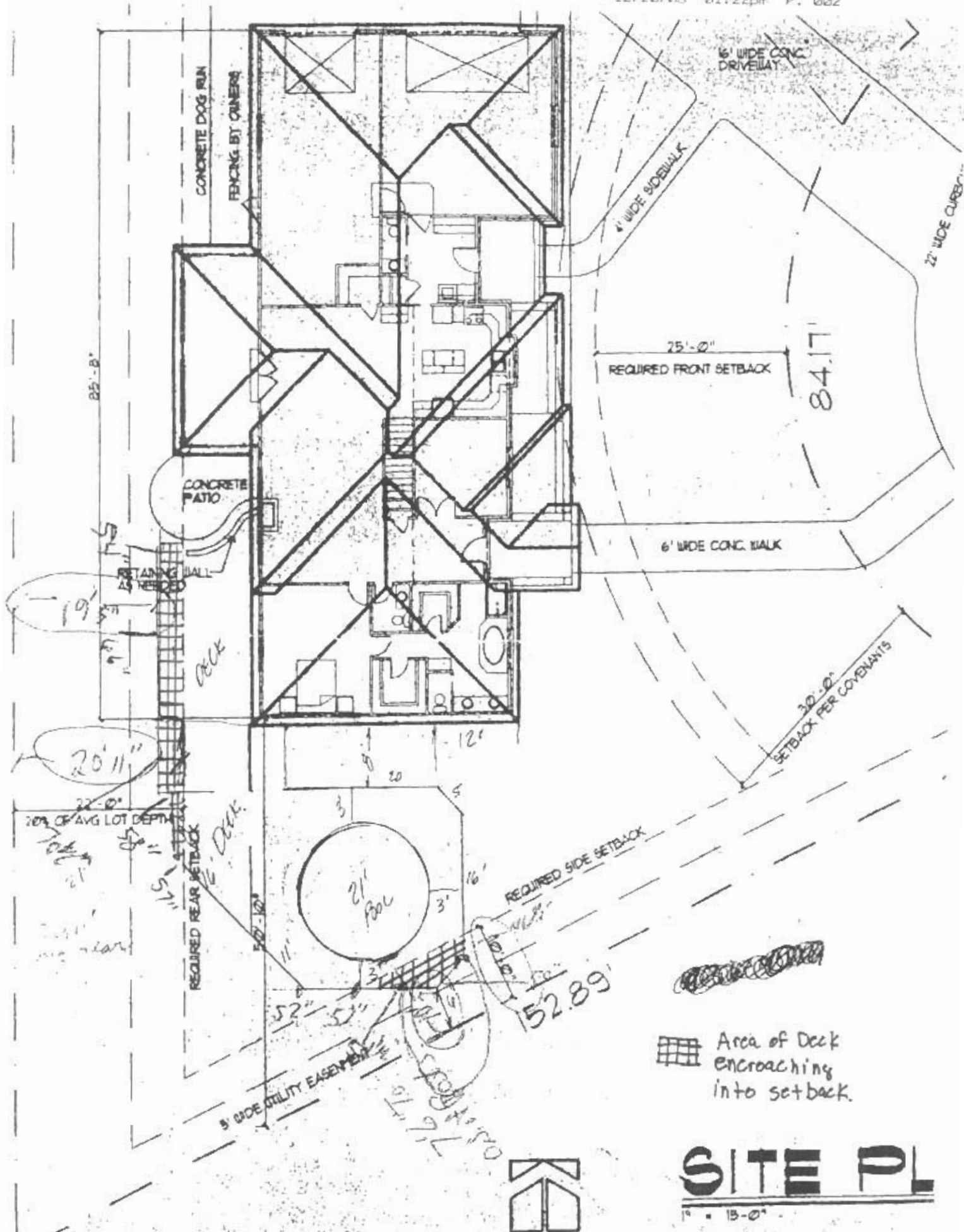
2005 aerial

Zoning:

One Square Mile
 Sec. 09 T09N R07E

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District





CONCRETE DOG RUN

FEIGNED BY CANNERS

16' WIDE CONC
DRIVEWAY

4" WIDE SIDEWALK

22" WIDE CURBS

25'-0"
REQUIRED FRONT SETBACK

REQUIRED FRONT SETBACK

84,171

6' WIDE CONC. WALK


~~30-01
SETBACK PER COVENANTS~~

~~30-01
SETBACK PER COVENANTS~~

REQUIRED SIDE SETBACK _____

REQUIRED REAR SEATBELT

3' WIDE UTILITY EASEMENT

 Area of Deck encroaching into setback.

SITE PL

19 - 15-01

LOT 3, PHEASANT RUN

Block 1

7

THIS APPLICATION IS REQUIRED DUE TO AN EXISTING DECK THAT IS IN CONFLICT WITH THE EXISTING SETBACKS FOR LOT 3 OF BLOCK / PHEASANT RUN 7TH ADDITION. I HAVE BEEN IN CONTACT WITH DALE STERTZ FROM THE BUILDING & SAFETY DEPARTMENT TO HAVE THIS ISSUE CORRECTED SO A BUILDING PERMIT CAN BE ISSUED.

Gary Mc Cown

M e m o r a n d u m

To: Tom Cajka, Planning Department
From: Charles W. Baker, Public Works and Utilities
Subject: Pheasant Run Special Permit #1114D
Date: December 16, 2005
cc: Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the Pheasant Run Special Permit #1114D to adjust the building setbacks for Lot 3 Block 3 located at 6501 Pheasant Run Circle. Public Works has the following comments:

- There are no utilities in the area of the rear yard that this special permit will allow to affected other than the electrical easement which is 5' wide along the rear property line.